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Patent

Remarks and Interview Summary

Claims 22 and 26-59 are pending in the application.

Claims 18-21 and 23-25 are canceled herein without prejudice. In this regard, we respectfully traverse the rejection of these claims as set forth in the November 2, 2005 Office Action. We also traverse the suggestion in the November 16, 2005 Interview Summary form that former claim 18 had a "possible" 35 U.S.C. § 112, 1 paragraph, issue.

We greatly appreciate the courtesy extended by Examiner Song to the undersigned, Steve Stewart, during the November 16, 2005 interview. The following is provided by way of discussion and interview summary.

Appendix A (attached) illustrates proposed amendments to claim 22 and proposed new claims 26 and 27 as discussed in the interview. Please note, however, that claims 22, 26 and 27 as presented herein differ from those discussed in the interview. We apologize for any inconvenience this may cause the Examiner. (Copy control states – similar to the ones discussed in the interview with respect to claims 22 and 27 – are presented in dependent claims 58 and 59.)

Claim 22 is amended herein without prejudice. Some of the amendments are intended to broaden its scope, e.g., changing "digital watermark" to "steganographic signal" and deleting the term "auxiliary".

As discussed in the interview, support for a steganographic signal can be found throughout the application including, e.g., page 1, line 31 and page 4, lines 16-22, etc. And support for the term "data" can be found throughout the application including, e.g., page 1, lines 10-11; page 2, lines 32-35; page 4, lines 22-24, etc.

The applied Takahashi patent (U.S. Patent No. 6,882,728) is not understood to teach or suggest the combination recited in claim 22.

We agree with the Examiner that the Takahashi patent does not disclose prohibiting copying of the video content if the copy control data is absent and the digital watermark is present (please see the November 2, 2005, Office Action, page 3, lines 19-20). We disagree, however, that it would have been obvious to make this modification.

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There is no teaching or suggestion in the Takahashi patent to make the modification as suggested by the Examiner. For example, we are not sure how "minimizing data errors" (please see the Office Action, page 3, lines 22-23) would motivate one of ordinary skill to make the suggested modification to achieve copy control in the manner described in the Office Action (see *id.*, lines 19-24).

Recall also that claim 22 recites actual data that is conveyed along with picture data (where this actual data does not represent picture elements). This data is examined for copy control data, and only if the copy control data is missing, the picture data is examined for a steganographic signal.

The Takahashi patent seems concerned with whether or not content (or "information") is encrypted or encrypted with a predetermined encryption method. Content (or "information") is examined with an "encryption detection circuit 10" to make this determination. See, e.g., the Takahashi patent at Col. 1, lines 36-41; Col. 2, lines 37-41; and Col. 6, lines 16-19.

Thus, the Takahashi patent is not understood to examine data conveyed along with picture elements (but not representing the picture elements) to make this determination.

Favorable reconsideration is respectfully solicited.

New claim 27 recites a first watermark and a second watermark, in combination with other features of the claim. The Takahashi patent is not understood to teach or suggest such a combination.

New claim 30 recites a method of managing processing of video content. The video content includes picture data representing picture elements to be rendered for display to a user, where embedded data is conveyed along with the video content. The method includes: (a) examining the embedded data for rights data; (b) only if the rights data is missing, examining the embedded data for protect data that is contained within the picture data; and (c) if the rights data is missing and the protect data is present, then limiting processing of the video content.

Support for this combination can be found throughout the application including, e.g.:

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- Page 4, lines 19-24 ("The term watermark refers to any system of embedding data that is minimally perceived when the content is played, and is also known as steganography. Data embedded in the header, and not hidden within the content is still considered a watermark.")
- Page 5, lines 29-31 ("In addition, the protect watermark 110 is only retrieved when the rights watermark 120 does not exist in the content.")
- Page 6, lines 22-27 ("Only if rights watermark 120 is not found does the content need to be searched for the computationally intense protect watermark 110 (box 350). If protect watermark 110 declares the content protected, then the desired action is disabled (box 340), otherwise the desire action is allowed (box 330).")

Of course, other examples and implementations will also fall within the scope of claim 30. Thus, the above specification examples should not be construed as limiting claim scope.

The Takahashi patent is not understood to teach or suggest the combination recited in claim 30. Favorable consideration is respectfully requested.

The Takahashi patent is also not understood to teach or suggest many of the combinations recited in the dependent claims.

For example, claim 40 recites that the rights data includes copy control states, and the copy control states represent one of a plurality of states, the states comprising at least: i) copy once; ii) copy no more; and iii) copy never. (Support for various copy control states is found throughout the present application including, e.g., page 2, lines 2-8. This specification passage incorporates by reference applicant's U.S. Patent Application No. 09/404,291, filed September 23, 1999. Page 4, lines 20-29 and page 5, lines 23-33, etc., of the '291 application discuss various copy control states. A copy of this application is provided with the accompanying Information Disclosure Statement for the Examiner's convenience.)

And claim 49 recites that the method of claim 30 is performed during a process of loading the video content to a remote location.

Favorable consideration is respectfully requested.

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An Information Disclosure Statement is filed concurrently herewith.
Consideration of the information disclosed therein is respectfully requested.
The Examiner is respectfully requested to contact the undersigned with any questions.


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Respectfully submitted,

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Attachments: Appendix A
Information Disclosure Statement and Form 1449

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Appendix A: Proposed Claims Discussed in the November 16, 2005 Interview

1-21. (canceled).

22. (currently amended): A method of managing processing of video content, the video content including picture data representing picture elements to be rendered for display to a user, and including auxiliary data conveyed along with the picture data but not representing picture elements to be rendered for display to a user, the method including:

(a) examining the auxiliary data for copy control data, wherein the copy control data represents one of a plurality of states, the states comprising: i) copy once; ii) copy freely; iii) copy no more; and iv) copy never;

(b) only if the copy control data is missing, examining the picture data for a steganographic signal; digital watermark; and

(c) if the copy control data is missing, and the steganographic signal digital watermark is present, then limiting processing of the said video content.

23-25. (canceled).

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Appendix A: Proposed Claims Discussed in the November 16, 2005 Interview

26. (new): A method of managing processing of video content, the video content including picture data representing picture elements to be rendered for display to a user, and including a first digital watermark and a second digital watermark each embedded in the picture data, the method including:

(a) examining the picture data for the first digital watermark to obtain copy control data, wherein the copy control data represents one of plurality of states, the states comprising at least: i) copy once; ii) copy freely; iii) copy no more; and iv) copy never;

(b) only if the copy control data is missing, examining the picture data for a second digital watermark; and

(c) if the copy control data is missing, and the second digital watermark is present, then limiting processing of the video content.

27. (new): A method of managing processing of video content, the video content including picture data representing picture elements to be rendered for display to a user, and including a first digital watermark and a second digital watermark, the method including:

(a) examining the video content for the first digital watermark to obtain copy control data, wherein the copy control data represents one of plurality of states, the states comprising at least: i) copy once; ii) copy freely; iii) copy no more; and iv) copy never;

(b) examining the picture data for a second digital watermark; and

(c) if the copy control data is missing, and the second digital watermark is present, then limiting processing of the video content.